

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLEG MASKAEV and DENNIS
RAPPAPORT PRODUCTIONS, LTD.,

Plaintiffs,
-against-

WORLD BOXING COUNCIL, SAMUEL
PETER, DUVA BOXING, LLC and DON
KING PRODUCTIONS, INC.,

Defendants.

Civil Action No. 07 CV 3147 (DAB)

**DECLARATION OF
ROBERT J.B. LENHARDT**

ROBERT J.B. LENHARDT declares, under 28 U.S.C. § 1746:

1. I am an attorney serving as Legal Counselor to the World Boxing Council. I respectfully submit this declaration and the accompanying exhibits in further support of the World Boxing Council's Motion to Dismiss the Amended Complaint or Stay Proceedings Pending Mediation.

2. Soon after the WBC, on January 31, 2007, ordered Vitali Klitschko, Oleg Maskaev and Samuel Peter to participate in compulsory mediation to resolve the dispute over who would fight Maskaev first, the parties agreed to meet in a good-faith attempt to negotiate a settlement and obviate the need to enter formal dispute resolution. The WBC made it clear to Vitali Klitschko, Oleg Maskaev and Samuel Peter, however, that its participation in the settlement negotiation did not affect its position that formal dispute resolution was compulsory and would be required should the settlement talks break down. The parties met on February 7, 2007 but did not reach an agreement at that time.

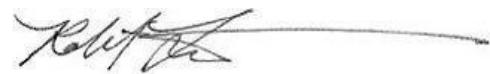
3. The dispute over who would fight Maskaev thus still unresolved, Klitschko filed an arbitration against the WBC, Maskaev and Peter two weeks later in the Court of Arbitration

for Sport (CAS). A true and correct copy of the CAS acknowledgment dated February 22, 2007 is attached as Exhibit 1.

4. The WBC consented to the CAS arbitration. Attached as Exhibits 2 and 3 are true and correct copies of letters dated March 9, 2007, from G. Peñagarícano to A. Zimmerman, and March 14, 2007, from A. Zimmerman to G. Peñagarícano, regarding the Klitschko arbitration.

5. On May 25, 2007, Kitschko, Maskaev, Peter and the WBC entered into an agreement settling the CAS arbitration and finally resolving the dispute over who would fight Maskaev. Attached as Exhibit 4 is a true and correct copy of that agreement.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on August 23, 2007.



Robert J.B. Lenhardt

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